

**State of Oklahoma
House of Representatives**

Weekly Wrap - 4
February 28-March 4, 2011

Representative Jeannie McDaniel

Just as Oklahoma March winds have begun to move winter out of the way for spring days, the tempo is picking up at the Capitol. Both chambers are full of debate and the air swirling with discussions to move legislation forward.

This week marked the final days in which bills authored by House members could receive a committee hearing in hopes of their bills progressing to the full body of the chamber. Of the 1,209 bills filed this session, only 384 House bills survived the first hurdle of the legislative process and will receive further deliberation and debate. The next legislative deadline looms as only 47 bills have received a hearing by the House chamber in the past three weeks, and the remaining 337 bills on General Order must be heard and passed off the House floor by the March 17th deadline. This count does not include the many appropriation bills that will also surface in the coming weeks. I've had 2 bills voted to go to the Senate. One is a request from the Oklahoma State Health Dept. to move reporting responsibility of medical histories on adoptions to Dept. of Human Services, and another – forming a taskforce to meet for 6 months and report on the status of “Oklahoma Children of Incarcerated Parents”.

State Treasurer Ken Miller appointed a committee this week to advise him on the investment of the state's \$5B investment portfolio. Former State Treasurer Scott Meacham will chair the committee. Other members of the committee include: Bob Neville, Executive VP of Investments for BancFirst; Gordon Sellon, PhD, former Federal Reserve economist and professor of economics at Oklahoma City University; Robert Thomas, Chief Investment Officer for George Kaiser Family Foundation and James Wilbanks, PhD, Executive Director of the Oklahoma Teachers Retirement System.

State entities issued nearly \$2B in new debt in 2010, the most since 1997, according to a report by the state bond adviser's office. Local issuers – school districts, cities, counties and local governmental authorities – also took on almost \$2B in new obligations, which was a slight increase over 2009's record level.

The House debated pension bills this week. Opponents of the efforts called out Republican leadership for their assault on the retirement security of public workers. The argument centers on whether leaders are scrapping guaranteed retirement benefits for public workers in favor of plans that will be held hostage by a volatile stock market. In pursuing the switch, the state hopes to shift more responsibility and risk to employees, while contributing significantly less in employee benefits.

Legislation this week advanced from committee and if enacted into law would boost local businesses in the bidding process for state contracts. House Bill 1974 by Rep. Morgan would give Oklahoma businesses a 3-percent preference to goods and services that have been manufactured or produced in the

state if the price, fitness, availability and quality are otherwise equal. Currently 25 states have percentage preference laws in which they favor local, in-state businesses in various trades (i.e. construction, agriculture, fisheries, forestry, recycled products, printing, all-terrain vehicles, etc). The amount these other states give to their local businesses range from 5%-15% preference in bids. Rep. Morgan stated that by investing taxpayer dollars in local businesses we can have a profound ripple effect in this state by creating jobs, providing benefits and ensuring that tax dollars remain here and every dollar is invested responsibly.

This week was rife with bills seeking to expand gun right laws or allow some form of open-carry in Oklahoma. Finding passage out of committee this week was HB 2087 by Rep. Terrill which would allow licensed faculty and administrators at colleges and universities to carry concealed weapons on campus, unless the university president banned the practice. SB 858 by Sen. Russell goes farther in that it would allow anyone who has a concealed-carry license to bring a concealed weapon on campus. HB 1652 would allow students, teachers and visitors who have permits to carry concealed weapons to take their guns to CareerTech centers and leave them locked in their vehicles. HB 1690 by Rep. Russ seeks to establish the right to own any legal shotgun, rifle, handgun or weapon to any person who has previously been convicted of a violent felony if said offender has received a full pardon from the proper authority. Lastly, HB1796 by Rep. Tibbs would allow Oklahoma voters to decide whether or not to authorize the open carry of firearms. Oklahoma's population of over 3.7 million residents has only around 97,000 adults who are concealed carry license holders.

Under legislation approved by a House committee this week beginner drivers could face hefty fines and possibly lose their driving privileges if caught texting while driving. Rep. Morgan's HB 1316 will make it a criminal violation for all persons aged 18 and under to use a cell phone while driving (except emergencies), prohibits all drivers, regardless of age, from texting while driving, and prohibits all drivers from using a cell phone while driving in an area designated as school crossing zone. All violations will be a primary offense. Currently twelve House members and two Senators from both parties have signed on in support as co-authors to the measure.

Floor Calendar - Please use this link if you want to listen or see where we are each day.
<http://www.okhouse.gov/FloorAgenda/Default.aspx>

Bills of interest passed out of committee and headed to the House floor calendar include:

-HB 1002 by Rep. Randy McDaniel, removes reference to the Reserve for Investment Fluctuations Fund and the Membership Annuity Reserve Fund from the list of assets under the Teachers' Retirement System.

-HB 1225 by Rep. Pat Ownbey, directs parties submitting an initiative petition that requires a funding source to submit to the secretary of state and the attorney general a statement outlining all sources of funding to be used in the measure.

-HB 2128 by Rep. Kris Steele, reduces from \$400,000 to \$300,000 the cap on noneconomic damage awards for bodily injury.

-HB 2024 by Rep. Dan Sullivan, creates the Oklahoma Lawsuit Reform Act.

- HB 1446 by Rep. George Faught, creates the Oklahoma Immigration Act of 2011.
- HB 1552 by Rep. Sally Kern, makes a ruling or contract by any court, arbitration, tribunal or administrative agency void and not enforceable in Oklahoma courts if the court, arbitration, tribunal or administrative agency bases its rulings or decisions in the matter at issue in whole or in part on any law, rule, legal code or system that would not grant the parties affected by the ruling or decision the same fundamental liberties, rights and privileges granted under the U.S. and Oklahoma constitutions.
- HB 1007 by Rep. Randy McDaniel, creates the Pension Funding Accountability Act of 2011.
- HB 1363 by Rep. Ron Peters, creates the Oklahoma Choices for Long-Term Care Act.
- HB 1571 by Rep. Steven Vaughan, establishes that all persons are created free and have inalienable rights.
- HB 1087 by Rep. John R. Bennett, increases from 13.5 to 15 feet the maximum height of any vehicle, with or without load.
- HB 1001 by Rep. Mike Reynolds, creates the Religious Viewpoints Antidiscrimination Act.
- HB 1402 by Rep. Paul Wesselhoft, creates the Women's Health Defense Act.
- HB 1429 by Rep. Doug Cox, directs the State and Education Employees Group Insurance Board to develop a cost-neutral or cost-positive plan to provide bariatric surgery coverage for eligible employees.
- HB 1744 by Rep. Jason Nelson, modifies the Lindsey Nicole Henry Scholarships for Students with Disabilities Program.
- HB 1268 by Rep. Ann Coody, requires students entering the ninth grade in the 2011-2012 academic year to complete four units of mathematics prior to graduation instead of three units.
- HB 1332 by Rep. Charles Key, creates the Bill of Rights Education Act of 2011.
- HB 2139 by Rep. Kris Steele, directs the state superintendent of public instruction to have control of and direct the State Department of Education.
- HB 1010 by Rep. Randy McDaniel, modifies the pension of the Uniform Retirement System for Justices and Judges.
- HB 1802 by Rep. Sue Tibbs, requires a nonviolent offender to be confined in his or her home and be supervised by electronic monitoring administered by the sheriff of the county if all correctional facilities reach maximum capacity.
- HB 1354 by Rep. Al McAffrey, allows licenses of the Alcoholic Beverage Laws Enforcement Commission to advertise or offer happy hours only during the hours of 4 and 7 p.m.
- HB 1615 by Rep. Gary Banz, moves from the last Tuesday in July to the last Tuesday in June the date of the primary election in even-numbered years for Oklahoma offices.

-HJR 1020 by Rep. Gary Banz, calls a constitutional convention to be convened July 15, 2013, for the purpose of altering, revising, or amending the Constitution or to propose a new Constitution.

-HB 1702 by Rep. Lee Denney, creates a DNA Collection, Storage, and Analysis Task Force to study the policies and procedures regarding the collection, storage, and analysis of DNA, costs and feasibility of collecting DNA from persons arrested for misdemeanor and felony offenses and improvements to the system of collection, submission, documentation and tracking of DNA samples.

-HB 1235 by Rep. Ben Sherrer, moves pseudoephedrine from Schedule V of the Uniform Controlled Dangerous Substances Act related to narcotics to Schedule III, which includes substances having a potential for abuse associated with a stimulant or depressant effect on the central nervous system.

-HB 1352 by Rep. Al McAffrey, allows the next of kin of any person whose death is investigated by the Office of the Chief Medical Examiner to have the opportunity to ask the examiner or a designee in an open hearing questions related to the cause of death and all other relevant information concerning the death.

-HB 2119 by Rep. Jeff Hickman, eliminates the requirement that priority for vending facilities be given to licensed blind operators and established by the State Department of Rehabilitation Services in buildings under the management and control of the Legislature.

-HB 1634 by Rep. Charles Ortega, reduces from \$150 to \$75 the annual fee for each coin-operated music or amusement device and each coin-operated device requiring a coin or thing of value of 25 cents or more.

Senate bills you might like to review:

-SB 3 by Sen. Mike Mazzei, allows qualified aerospace employers to qualify for and receive a tax credit equal to 50 percent of tuition reimbursement.

-SB 820 by Sen. Mark Allen, requires any prisoner in the custody of the Department of Corrections that is subject to an order of deportation from the U.S. Citizenship and Immigration Services to also have any person related within the third degree by affinity or consanguinity to the prisoner and who is receiving any state assistance and are determined to maintain an illegal presence subject to deportation and done so without prejudice to nationality, color, race, religion or gender.

-SB 683 by Sen. Anthony Sykes, removes language granting resident tuition to students who cannot provide documentation of U.S. nationality or an immigration status permitting study at a postsecondary institution in the United States.

-SB 55 by Sen. Anthony Sykes, directs the Oklahoma State Regents for Higher Education to adopt a policy that allows a student to enroll in a higher education institution and be eligible for resident tuition if he or she satisfies admission requirements and has enrolled in the institution.

-SB 260 by Sen. John Ford, removes language prohibiting the governing body of a charter school from issuing bonds.

-SB 278 by Sen. Gary Stanislawski, permits a charter school to be sponsored by the State Board of Education for the purpose of establishing a statewide only charter school in which all students within the state are eligible to enroll.

-SB 279 by Sen. Gary Stanislawski, expands the list of purposes for which school districts may issue bonds to include the maintenance of school furniture, fixtures or equipment.

-SB 285 by Sen. Kim David, exempts the Governor's Mansion and its grounds from requirements to be posted with signs warning against trespass.

-SB 487 by Sen. Andrew Rice, creates the Oklahoma Bicycle Safety Awareness Act.

-SB 509 by Sen. Ralph Shortey, allows a school district board of education to award contracts for the sale of advertising on the exterior of transportation equipment.

-SB 605 by Sen. John Ford, creates the Charter School Sponsoring Commission.

-SB 664 by Sen. Eddie Fields, decreases from 6 percent to 5 percent the cap on administrative services a school district with an average daily attendance of more than 1,500 students may expend.

-SB 923 by Sen. Anthony Sykes, increases the penalty for willfully aiding, encouraging or recruiting a minor for a criminal street gang from one year to five years in the custody of the Oklahoma Department of Corrections.

-SB 862 by Sen. Anthony Sykes, removes language stating that a defendant is jointly and severally liable for the damages recoverable by a plaintiff in the percentage of responsibility attributed to the defendant with respect to a cause of action greater than 50 percent and if at the time the incident occurred that gave rise to the cause of action, a joint tortfeasor acted with willful and wanton conduct or with reckless disregard and the conduct proximately caused the damages legally recoverable by the plaintiff, the liability damages shall be joint and several.

-SB 280 by Sen. Gary Stanislawski, eliminates the requirement of ongoing weekly telephonic communication between teacher and student and monthly telephonic communication between teacher and parent from the rules the State Board of Education is required to adopt for the implementation of online courses.

-SB 377 by Sen. Mike Mazzei, requires the Board of Trustees of the Teachers' Retirement System to establish an investment committee.

-SB 637 by Sen. Charles Wyrick, disapproves permanent rules of the Oklahoma Board of Commercial Pet Breeders.

-SJR 37 by Sen. Mike Schulz, requires the Governor to prepare a fiscal analysis of the subject matter of a petition which must appear on the ballot when the Governor issues a proclamation setting the date on an election.

-SB 95 by Sen. Eddie Fields, removes the requirement that vehicles transporting livestock not for hire display "Not for Hire" on both sides of a vehicle.

-SB 304 by Sen. David Holt, designates the southbound bridge on U.S. 722/U.S. crossing the Red River as “President George W. Bush Bridge.”

-SB 406 by Sen. Josh Brecheen, increases the time limits for picketing at funerals from one hour before and after the funeral to two hours before and after the funeral, and extends the distance from 500 to 1,000 feet from the service.

-SB 808 by Sen. David Holt, moves the date of presidential primary elections from the first Tuesday of February to the first Tuesday of March.

-SJR 16 by Sen. John Sparks, proposes a constitutional amendment allowing a disabled veteran to claim a homestead exemption for the full amount of a manufactured home used as his or her principal residence whether the home is located on real property owned by the veteran if he or she has been honorably discharged from active service in any branch of the U.S. Armed Forces of the Oklahoma National Guard and has a 100 percent permanent disability sustained through military action or accident or resulting from disease contracted while in active service.

I hope you have a great week. Please contact me if my office at 1(800) 522-8502 if we can help in any way.